

REMARKS

Claims 1-13 are pending. Claims 1-8 were rejected under 35 U.S.C. § 102 (b). Claim 1 was objected to.

Claim Objection

Claim 1 was objected to because of an informality.

Applicant has responded by amending claim 1.

Rejection Under 35 U.S.C. § 102 (b)

Claims 1-8 were rejected under 35 U.S.C. § 102 (b) as being anticipated by Tomlinson et al., "Fade Countermeasures at Ka Band: Direct Inter-establishment Communications Experiment (DICE)", IEEE Colloquium, December 17, 1991, pages 4/1 – 4/6.

Claims 1 and 6 were rejected under 35 U.S.C. § 102 (b) as being anticipated by U. S. Patent Number 5,325,394 issued to Bruckert on June 28, 1994.

Applicant has avoided these grounds of rejection for the following reasons.

Applicant's claim 1, as amended, now recites,

"selecting a reduced information data rate that is a fraction of a full data rate R, wherein the reduced information data rate is 1/4 of the full data rate R;

randomizing the reduced data rate information signals to produce an encoded data stream at the full data rate R; and

transmitting the encoded data stream;

wherein the reduced information data rate results in an enhanced signal-to-noise ratio, per bit of information, and wherein transmittal of the encoded data stream at the full data rate ensures that power flux density will not be significantly changed."

Tomlinson does not teach the limitations of applicant's claim 1. Applicant agrees that Tomlinson discloses decreasing the source data rate and keeping the rate of pseudo-random data sequence constant. However, Tomlinson does not disclose an amount for the decrease of the source data rate. Thus, Tomlinson is missing the

"wherein the reduced information data rate is 1/4 of the full data rate R" elements, as recited in applicant's claim 1.

Bruckert does not teach the limitations of applicant's claim 1 either. This is because Bruckert, similar to Tomlinson, does not disclose an amount for a reduced information data rate. Thus, Bruckert is missing the "wherein the reduced information data rate is 1/4 of the full data rate R" elements, as recited in applicant's claim 1.

Thus, the clear teaching of Tomlinson or Bruckert is that the reduced information data rate is not 1/4 of the full data rate.

In view of the foregoing, applicant submits that Tomlinson and Bruckert do not describe each and every element of claim 1, and therefore claim 1 is not anticipated by Tomlinson or Bruckert. Since claims 2-5 depend from allowable claim 1, these claims are also allowable over Tomlinson and Bruckert.

Independent claim 6 has a limitation similar to that of independent claim 1, which was shown is not taught by Tomlinson or Bruckert. For example, claim 6 recites, "means for reducing the rate of an information data stream to be transmitted from a full rate R to a selected reduced rate, wherein the selected reduced rate is 1/4 of the full data rate R". Tomlinson and Bruckert do not teach these limitations for the above-mentioned reasons. Therefore, claim 6 is likewise allowable over Tomlinson and Bruckert. Since claims 7-8 depend from claim 6, these dependent claims are also allowable over Tomlinson and Bruckert.

New Claims

Claims 9-13 have been added. Claim 9 provides an additional limitation directed to the means for reducing the rate of the information data stream. Claim 10 provides an additional limitation directed to the means for transmitting. Claims 11-13 are directed to a system for the claimed invention. No new matter was added.

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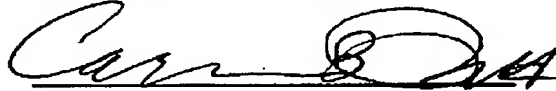
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FEB 19 2008Conclusion

It is respectfully submitted that the Office Action's rejections have been overcome and that this application is now in condition for allowance. Reconsideration and allowance are, therefore, respectfully solicited.

In view of the above amendments and remarks, allowance of all claims pending is respectfully requested. If a telephone conference would be of assistance in advancing the prosecution of this application, the Examiner is invited to call applicant's attorney.

Respectfully submitted,



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